

546.710 Contract clauses.

(a) Insert the clause at 552.246-17, Warranty of Supplies of a Noncomplex Nature, instead of FAR 52.246-17 in solicitations and contracts. Use the following alternates as applicable:

(1) *Commercial item acquisitions other than multiple award schedules.* Use the clause at 552.246-17 with its Alternate I.

(2) *Other than commercial items in Class 8010.* Use the clause at 552.246-17 with its Alternate II.

(3) *Other than commercial items in Class 8030 or 8040.* Use the clause at 552.246-17 with its Alternate III. In addition, specify in the solicitation whether the items are “noncritical end use items” or “critical end use items”.

(b) *Multiple award schedules.* Insert the clause at 552.246-73, Warranty—Multiple Award Schedule, in solicitations and contracts.

(c) *Construction contracts expected to exceed the simplified acquisition threshold.* Insert the clause at 552.246-75, Guarantees, in solicitations and contracts.

(d) *Pesticides.* Insert the clause at 552.246-76, Warranty of Pesticides, in solicitations and contracts involving the procurement of pesticides.

[64 FR 37228, July 9, 1999, as amended at 65 FR 11248, Mar. 2, 2000]

PART 547—TRANSPORTATION**Subpart 547.3—Transportation in Supply Contracts**

Sec.

547.300 Scope of subpart.

547.303 Standard delivery terms and contract clauses.

547.303-1 F.o.b origin.

547.304 Determination of delivery terms.

547.304-5 Exceptions.

547.305 Solicitation provisions, contract clauses, and transportation factors.

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37229, July 9, 1999, unless otherwise noted.

Subpart 547.3—Transportation in Supply Contracts**547.300 Scope of subpart.**

This subpart applies to FSS acquisitions.

547.303 Standard delivery terms and contract clauses.**547.303-1 F.o.b origin.****CONTRACTOR RESPONSIBILITIES**

The contractor must both:

(a) Request a carrier routing from the applicable transportation zone office on all shipments weighing 10,000 pounds or more.

(b) Mail the original of the commercial bill of lading (CBL), to the office that authorized the CBL (applies to shipment on a CBL). Ensure that the signature of the carrier's agent and the annotation required by FAR 52.247-1 appear on the original and all copies of the CBL.

547.304 Determination of delivery terms.**547.304-5 Exceptions.**

(a) *Solicitations that provide for delivery to Alaska, Hawaii, or Puerto Rico.* Include notice that the offeror may specify delivery f.o.b. origin; f.o.b. vessel, part of shipment; f.o.b. destination; or any combination of these. If appropriate, provide for other delivery terms.

(b) *Federal Supply Schedules.* If f.o.b. destination is offered for delivery within CONUS, attempt to obtain the same delivery term for shipment to Alaska, Hawaii, or Puerto Rico.

547.305 Solicitation provisions, contract clauses, and transportation factors.

(a) Insert 552.247-70, Placarding Railcar Shipments, in solicitations and contracts if it is essential that the railcar doors be especially positioned next to the unloading dock, platform, or warehouse door.

(b) Insert 552.247-71, Diversion of Shipment Under f.o.b. Destination Contracts, in Stock, Special Order Program (SOP), and Single Award Schedule solicitations and contracts which provide for f.o.b. destination shipment.

PART 549—TERMINATION OF CONTRACTS

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37229, July 9, 1999, unless otherwise noted.